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Official Records

41st PLENARY MEETING
Thursday, 28 October 1993 at 10 a.m.

NEW YORK

President: Mr. INSANALLY (Guyana)

The meeting was called to order at 10.35 a.m.

ADDRESS BY THE REVEREND FATHER JEAN-BERTRAND ARISTIDE, PRESIDENT OF THE REPUBLIC OF HAITI

The PRESIDENT *(interpretation from French)*: The Assembly will first hear an address by the President of the Republic of Haiti.

The Reverend Father Jean-Bertrand Aristide, President of the Republic of Haiti, was escorted into the General Assembly Hall.

The PRESIDENT *(interpretation from French)*: On behalf of the General Assembly, I have the honour to welcome to the United Nations the President of the Republic of Haiti, His Excellency the Reverend Father Jean-Bertrand Aristide, and to invite him to address the Assembly.

President ARISTIDE *(interpretation from French)*: I am happy to greet the Assembly on behalf of the people of Haiti.

Together with Prime Minister Robert Malval and the Haitian ministers and diplomats present here, I offer my thanks to the United Nations and to all those who are with us on the road to restoring democracy to Haiti.

Particular thanks go to the Secretary-General of the United Nations, the Secretary-General of the Organization of American States (OAS), President Bill Clinton, Special Envoy Dante Caputo, Special Advisor Lawrence Pezzullo, and the four friendly countries of Canada, France, Venezuela and the United States of America.

I cannot fail to mention all the other friends in the Caribbean, America, Europe and Asia who are so dear to us and have given us such a warm welcome. Among others, we refer to the Republic of China in Taiwan, which we hope will soon regain its place in the great family of the United Nations.

In 1492, the peoples of Africa reached the new world. Half a millennium has already elapsed since then - 500 years of history that have reaped abundant cultural and liberating harvests. From 1791 to 1804, under the leadership of Toussaint Louverture and Jean-Jacques Dessalines, Haiti won its independence and the life-force of freedom has become blood of our blood and flesh of our flesh.

We are alive. Haiti will live. Haiti is us. We are Haiti.

Undoubtedly there have been ups and downs and there will continue to be. Nevertheless, nothing can prevent us from defending our inalienable and undeniable right to life, to liberty and to the quest for happiness in accordance with our Act of Independence of 1804 and the Universal Declaration of Human Rights of 1948.

It is with great joy that we find these same fundamental values set forth in the American Declaration of Independence, namely:

> "... that all Men are created equal, that they are endowed by their Creator with certain unalienable

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ENGLISH

Rights, that among these are Life, Liberty, and the Pursuit of Happiness ...".

Haiti, which was the richest French colony in the eighteenth century, must be a nation that is socially just, economically free and politically independent.

When political science as a separate professional discipline focused its attention on the State it gave some rational guidelines for building a State of law. Over and above political storms in our country we shall re-establish a stable State built on law.

Democratic restoration implies: ideological pluralism, political change and economic growth. The scientific underpinnings of this process, let us repeat, involve a political equation to be drawn between reconciliation and justice. Reconciliation among all and justice for all.

What is at stake is peace - at the national level, in the hemisphere and in the world. We cannot sketch the main outlines of the new world order without of necessity involving democracy. Democracy and non-violence are inextricably connected. Democracy and institutionalized violence are incompatible. Haiti is now suffering from structural and age-old violence. The *coup d'état* brought about a real genocide. In legal language the assassination of a people can only be called one thing, and that is genocide. The purpose is to annihilate in order to dominate; to dominate in order to do away with the democratic process and replace it by neocolonialism. If we can accept slavery, we can accept anything, Abraham Lincoln said in 1864.

Likewise we see Pétion, President of the Republic of Haiti, welcoming Bolivar, who had been vanquished by the troops of Ferdinand VII, and providing him with asylum and assistance in order to do away with slavery in Colombia, Venezuela, Ecuador, Bolivia and Peru.

Today, as at Crête-à-Pierrot, Dessalines would heroically restate: "We will all die for freedom". Captain Fritz Pierre-Louis died for freedom and democracy; our brother Antoine Izméry died for freedom and democracy; our brother Guy Malary, Minister of Justice, died for freedom and democracy; and more than 4,000 Haitians have died for freedom and democracy. May they all rest in peace.

This institutionalized violence prevents the free exercise of the human rights which are formally guaranteed by the Constitution. Fortunately, by restoring democracy we intend to promote the dawn of Haitian creativity and the transformation of our living conditions. Slowly but surely we will pass from destitution to poverty with dignity.

Our 6,900,000 compatriots, of whom 2 million live in urban areas and 4,900,000 in rural areas, will reap the harvest of peace and joy. The quality of life will be better. The infant mortality rate will no longer be 94 per 1,000. Unemployment will no longer vary between 70 per cent and 80 per cent. Ninety per cent of the urban population will no longer live in shanty towns. We will no longer have one soldier per 1,000 inhabitants, 1.8 doctors for 10,000 inhabitants, or an army of 7,000 people absorbing 40 per cent of the national budget. The quality of life will be better.

It is our hope that the technical assistance we have requested from the United Nations will make it possible at last to make the army professional. I should like to take this occasion to send a message of peace to the officers and men of the army of Haiti. As guarantor of national independence and territorial integrity, the President of the Republic recalls that the armed forces are non-political - Article 265; and the police were created to maintain public order and to protect the life and property of citizens - article 269.

On 15 October last the armed forces and the police should finally have been free of their superior officers. Late, but not too late. They will have to leave. This flagrant violation of the Governors Island Agreement can only dramatically accelerate the headlong rush to national breakdown. Late, but not too late. They will have to leave.

The end of the cold war has sounded the death knell of dictatorship and has opened the way to responsible negotiation. No human being can live in a ridiculous and chaotic world. We must build a State of law ensuring the separation and harmonious distribution of the powers of the State to serve the fundamental interests of the nation at large.

In this context we deem it necessary to recall the six proposals which were shared last July with the private sector in Haiti. Once we have returned we shall do the following: first, take effective steps at the meso-economic level, that is, measures that will establish a relationship between the macroeconomic and micro-economic levels, which have a direct impact on the daily life of the people and will lead to the necessary degree of decentralization; secondly, set in motion a legal process for the rational management of State resources, for budgetary readjustments and in order to reform the tax and banking systems; thirdly, create a State of law with a judicious macroeconomic policy that will encourage the creation of

productive and remunerative jobs; fourthly, revamp the synergetic relationship between the public and private sectors; fifthly, correct market deficiencies by combating drugs, corruption and smuggling; and, sixthly, make it possible for the market to function properly by ensuring that there is free competition.

In this connection, article 245 of the Constitution states:

> "Economic freedom is guaranteed as long as it is not opposed to social interests. The State protects private enterprise and does everything to ensure that it develops under the conditions necessary to increase national wealth in order to ensure that the largest number of people share in the benefits of that wealth."

Dear friends, James in the *Black Jacobins* wrote that no part of the world, as far as its surface was concerned, had so much wealth as the colony of Santo Domingo. That is quite true. It is also true that Haiti today is one of the wealthiest pieces of land in the world: it is rich in human, cultural and artistic values.

(spoke in Creole)

> *(The speaker did not provide for interpretation into one of the languages of the General Assembly as required by rule 53 of the rules of procedure of the General Assembly.)*

(spoke in French)

The most realistic projections for the year 2000 indicate that 2,600,000 inhabitants - that is, 65 per cent of the urban population - will have no prospects whatsoever of access to drinking water. The implementation of our economic policy should avert this catastrophe. In the year 2000 more than 60 per cent of children under the age of 12 months will be unable to receive vaccinations. This is another challenge to take up. Within seven years our forests will have disappeared. Two years ago only 1.5 per cent of our forest cover was left, which is why we lose every year 36.6 million metric tons of land.

Only the restoration of democracy can save our country from this ecological catastrophe. Let us not even mention the massive outflow of boat people. Once we have returned to the land of our birth we shall restore peace, and then the sea will no longer claim our soil and our souls. We said before: "Boat people, nevermore." Upon our return we shall say: "Boat people, nevermore."

We shall say again: "Licence to traffic in drugs, nevermore." Only the restoration of democracy can prevent Haiti from being the second country in the hemisphere in terms of involvement in drug trafficking. Since the *coup d'état* about 48 metric tons of cocaine have passed through Haiti every year. Their destination? North America, above all. The annual market value of this drug adds up to $1.2 billion, of which more than $200 million goes to the putschists and their allies. When we return to the land of our birth, the Haitian and United States Governments, united as always, will protect each other from this violent scourge.

When we return to the land of our birth, by mobilizing all our human resources and making optimal use of the assistance of friendly countries, we shall be able to implement an urgent employment programme, which will involve, first, refurbishment of the roadway infrastructure, comprising 1,406 kilometres; secondly, protection of drinking-water supply systems for 1 million inhabitants; thirdly, protection of agricultural irrigation systems covering 200,000 plots of land; fourthly, shoring up of the main towns and protection of the areas threatened by erosion, including, in particular, 300 kilometres of ravines; and, fifthly, promotion of integrated rural development.

Let us recall that 63 per cent of the active population is employed in the rural areas, whence comes 27 per cent of the gross national product. The industrial sector, on the other hand, employs 5.7 per cent of the active population and produces 15 per cent of the gross national product.

Working with the private sector in Haiti, we shall have to find the best way to provide many more jobs for both the medium and the long term. Since the *coup d'état* we have lost 30,000 jobs in the assembly and export industries. Relaunching tourism will provide 1,000 jobs. Building schools and repairing 1,200 schools in disadvantaged areas will contribute to reducing the ranks of the unemployed.

The first mission of the State and of the territorial collectives is to provide schooling for the masses; this is the only way we can develop the country. The State and the territorial collectives must make free schooling available to all: articles 32.1 and 32.2.

Furthermore, the Head of State, as the guarantor of respect for the Constitution, will endeavour to strengthen the democratic institutions set out in the Constitution.

Justice for all; transparency in all; participation by all.

The Head of State will also reinforce the independence of the legislative power by helping the members of Parliament prepare themselves and by fostering harmonious relations between the two branches. There will soon have to be a permanent electoral council to organize legislative elections for 1994. I take this opportunity to urge the political parties and the members of the opposition to stimulate the democratic process for the nation's well-being.

As the President of each and every Haitian, I urge all to transcend political differences and build unity in diversity. Young people of Haiti, women of Haiti, peasants' groups, trade unions, people's organizations, social and professional organizations: let us all march together. Rich or poor, military or civilian: let us say no to vengeance, no to violence, no to impunity, yes to reconciliation, yes to justice. Let us all march together. There is strength in union.

(spoke in Creole)

(The speaker did not provide for interpretation into one of the languages of the General Assembly as required by rule 53 of the rules of procedure of the General Assembly.)

(spoke in French)

Yes, geopolitical evolution depends on unity. On the threshold of a new era, tolerance and active benevolence benefit all mankind. Geopolitical evolution depends both on the relationship between economic forces and on democratic growth. Yes, from humanity there can arise a new world order based on mutual respect and new structures that are intended to guarantee peace, security and dialogue. Dialogue between men and women will be the topmost of our national and international priorities, a dialogue between men and women whose intelligence is a guiding light for democratic civilization. There will be dialogue between all of us, dialogue between the members of this Assembly, who are intelligent. *Vis consili expers mole ruit sua:* force without intelligence is crushed by its own weight, as Horace said. Guided by the light of intelligence, men and women of Haiti will easily understand that

(spoke in Creole)

(The speaker did not provide for interpretation into one of the languages of the General Assembly as required by rule 53 of the rules of procedure of the General Assembly.)

(spoke in French)

They will easily understand that

(spoke in Creole)

(The speaker did not provide for interpretation into one of the languages of the General Assembly as required by rule 53 of the rules of procedure of the General Assembly.)

(spoke in French)

Yes, we Haitians, we who desire peace and who shall create peace, easily understand the importance of reconciliation and justice. This is why, first, we respected from the outset the Governors Island Agreement; secondly, we ask for a total blockade, which is necessary - nay, absolutely essential; thirdly, if tomorrow morning General Cédras, the members of the High Command and the Military Staff, and Colonel Michel François and his allies leave, then tomorrow afternoon I shall, in agreement with the Presidents of the Senate and the House of Deputies, summon Parliament to vote on the bill regarding the police and the one on amnesty, in accordance with article 147 of the Constitution, the Governors Island Agreement and the New York Pact.

Fourthly, the Prime Minister and the members of the Ministerial Cabinet, to whom we would address our warmest congratulations, are invited not to resign, in solidarity with the people of Haiti. On 30 October, it is not a matter of choice between returning or not returning. It is a choice between departure and lateness.

(spoke in Creole)

(The speaker did not provide for interpretation into one of the languages of the General Assembly as required by rule 53 of the rules of procedure of the General Assembly.)

(spoke in French)

Men and women of Haiti, the horizons of the future are wide open. Upright like the palm-bearer of freedom, let us march together. Let us build peace. Let us construct law. Let us restore democracy. All, sons and daughters of the motherland of Toussaint-Louverture and Jean-Jacques Dessalines, let us be united for the rebirth of the nation. To all of you, peace, love and happiness.

The PRESIDENT *(interpretation from French)*: On behalf of the General Assembly, I wish to thank the

President of Haiti for the important statement he has just made.

The Reverend Father Jean-Bertrand Aristide, President of the Republic of Haiti, was escorted from the General Assembly Hall.

PROGRAMME OF WORK

The PRESIDENT: I should like to inform delegations that with regard to agenda item 21, "Return or restitution of cultural property to the countries of origin", which is to be considered next Tuesday, 2 November, the report of the Secretary-General (A/48/466) is now available at the documents counter.

Similarly, with regard to agenda item 30, "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", which is to be considered next Wednesday, 3 November, the report of the Secretary-General (A/48/448) is also now available at the documents counter.

AGENDA ITEM 11

REPORT OF THE SECURITY COUNCIL (A/48/2)

The PRESIDENT: I now call on the President of the Security Council, who will introduce the report of the Security Council (A/48/2).

Mr. SARDENBERG (President of the Security Council): I am honoured and pleased to have the opportunity to address the General Assembly as President of the Security Council to introduce the annual report of the Council covering the period 16 June 1992 to 15 June 1993, which has been distributed to all delegations in document A/48/2.

The members of the Security Council attach great importance to the timely preparation and submission of the annual report to the General Assembly, as provided for in Articles 15 and 24 of the United Nations Charter.

Consideration of the Council's report by the General Assembly constitutes a privileged occasion for the necessary dialogue and interaction between these two principal organs of the United Nations. It is thus an important element enabling both organs to exercise, in a mutually reinforcing manner, their respective competences in relation to the maintenance of international peace and security.

Due to a delay in the presentation of the previous report, the General Assembly was not able to consider it in the course of 1992. To prevent such a regrettable delay from recurring, the Security Council requested the Secretariat to submit the draft report to members of the Council immediately following the period covered by the report, so that it might be adopted by the Council in time to permit the General Assembly to consider it during the main part of its regular session, as it is doing today. I wish to thank the Secretariat for the work it put into preparing the draft report on time.

The report reflects the increased amount of work done by the Council in responding to problems related to international peace and security. It is not for me, as President, to comment on this occasion on the substance of that work, except perhaps to say that the voluminous content of the document indicates the need for continued attention and action by the United Nations to face the numerous challenges persisting or emerging in a changing international scene. The positive trends towards greater international cooperation and understanding by no means exclude the existence of serious threats to international peace. In facing these challenges, the Security Council is constantly confronted with the difficult task of preserving and increasing the efficiency of its work to ensure the prompt and effective action that is required with respect to international peace and security, in accordance with the norms and principles of the Charter.

The more that action becomes important and effective, the more we should stress the fact that it involves a responsibility that is conferred upon the Security Council by all the Member States of the United Nations. Such action is carried out by the Council on their behalf, as provided for in Article 24 of the Charter, and it is essential that all Member States contribute to the work that is done on their behalf.

I have no doubt that the members of the Security Council are aware of the need to address the question of how best to strike a balance between efficiency and transparency in the work of the Council. Last June the Council established an informal working group to consider suggestions concerning documentation, including the annual report and related matters. As a result, the Council has adopted a number of procedural measures that will no doubt contribute to enhancing its work and provide a useful foundation on which to build.

Some of these measures are directly related to the question of how to provide information to States that are not members of the Security Council. The Council agreed, in particular, on the following matters.

First, the draft of the annual report will no longer be issued as a confidential document and will be adopted at

a public meeting of the Security Council - not a private meeting, as in the past - at which the draft report is to be made available to all interested delegations. This procedure was observed for the first time in the adoption of the report I have the honour to introduce today.

Secondly, the Secretariat will bring to the attention of the Council all cases in which a resolution or a Presidential statement contains references to unpublished documents, in which cases the Council will consider the official publication of the document, thus making it readily available for consultation by interested delegations.

Thirdly, the provisional agenda for formal meetings of the Council will be included in the *Journal of the United Nations* whenever it has already been approved in informal consultations.

Finally, the monthly forecast of the Council's programme of work prepared by the Secretariat will be distributed to all Member States at the beginning of each month.

An effort is also being made to make the titles of Security Council agenda items more descriptive, avoiding mere references to letters or reports received.

These first measures are already being implemented.

The Council furthermore agreed that the question of ways to provide information to States that are not members of the Council will be kept under due consideration, with a view to enhancing its practice in this regard.

Another useful step in the same direction is the new practice, which started a few months ago, of regular consultations by the President of the Security Council with the President of the General Assembly and, separately, with the Chairmen of each of the five regional groups, within their respective mandates. I am convinced that these and possibly other new channels of dialogue can be profitably explored to the benefit of the work of the Council, which must be responsive to the interests and concerns of the membership at large.

In addition to those measures, the Council has also considered the need to make its annual report an easier and more useful reference document for all Member States. To that end, the report now submitted by the Council incorporates a number of changes in its format: it includes a new appendix with a list of all Presidential statements issued during the period under review, with an indication of the date of issuance and the corresponding agenda item or subject matter; it provides cross-references to the relevant chapter, section and subsection for each resolution and Presidential statement; and, as indicated in the table of contents, agenda items have been regrouped under umbrella headings, so as to allow easier reading.

As indicated in the introduction to the report, it is not intended as a substitute for the official records of the Security Council, which provide a more substantive account of its deliberations. Thus the report should be read, for the purposes of this discussion in the General Assembly, too, in conjunction with other official documents of the Council, to which it constitutes a reference guide.

The members of the Security Council will listen attentively to the debate we are holding here today, and they welcome this opportunity for dialogue.

Mr. JARAMILLO (Colombia) *(interpretation from Spanish)*: The presentation of the report of the Security Council to the General Assembly is of fundamental importance to Colombia because it gives an opportunity for the necessary interaction between the principal organs of the Organization.

Two weeks ago the General Assembly had an opportunity to give its views on the report of the Secretary-General on the work of the United Nations and the report of the International Court of Justice. Today we have an opportunity to address the development of the work and activities of the Security Council. This is of special importance because of the vital role of the Council in the international arena and the steadily increasing number of functions it has assumed, some of which are in accordance with the Charter, while others go far beyond its fundamental mandate.

I should like first of all to say how pleased I am at the prompt submission of this report, which enables the Assembly to consider it during the main part of its regular session, in contrast to the situation last year, when it was given late consideration in the month of June.

We are also pleased that a number of the criticisms levelled at the Council's procedures have produced concrete results. In this connection it is fitting to point out that the report was considered and approved at an open meeting of the Security Council and that it was published as a limited-distribution document, in keeping with the normal practice of other United Nations bodies.

We would also note the circulation of the Council's monthly programme of work to all Missions, which has facilitated the flow of information within the system. We believe that the inclusion of the provisional agenda of meetings of the Council in the *Journal* to be a good

beginning. This, of course, does not mean that the need for greater transparency and information has ceased to exist. In any event, we encourage its members to continue to seek ways to improve the Council's procedures, including the question of working out new and improved ways to provide information to Member States.

Colombia has on a number of occasions noted that the Council's report should reflect, in a detailed, analytical and substantive manner, the tasks accomplished by that body in the exercise of its functions, particularly at a time when greater latitude and flexibility are being applied in defining situations that pose threats to international peace and security. This has meant that the Security Council's tasks have increased, both quantitatively and qualitatively, which has in turn necessarily - and quite rightly - meant that the General Assembly, as the universal body, must be more thoroughly informed of the essence of the Council's work. This question takes on even greater importance at a time when the Council's use of informal consultations as a routine working method has made the timely and open flow of information to all Member States, on an equal basis, far more difficult to achieve.

Unfortunately, once again the Council's report is enumerative and descriptive in nature, and it lacks any assessment or substantive ideas that might give us even a vague notion of the thrust of the deliberations that are held behind closed doors and without written records. We stress this point because it involves the representative nature of the Security Council and its political responsibility *vis-à-vis* the General Assembly. As stipulated in Article 24, paragraph 1, of the Charter, the Security Council acts on behalf of the Members of the United Nations. That is precisely what gives its actions their legitimacy. We are all aware that the ever-growing activities of the Council confer enormous responsibility on the United Nations, a responsibility that is, of course, incumbent upon all Member States, not only from a political standpoint, but from a financial one as well. Thus, the very least we countries that are not members of the Council can ask is that we be informed, and informed well and in a timely and substantive fashion. We believe that the Council should produce the special reports to the General Assembly referred to in Article 24 of the Charter, not only because the items before it are complex and numerous but also because an annual submission forgoes on numerous occasions the political attention such critical issues require. Indeed, it seems to us that a monthly report, corresponding to the change of presidency in the Council, is warranted and that it would improve the information available to member countries.

I should now like to make a few general comments on the report before us.

First, I should like to repeat that Colombia welcomes with optimism the new era of cooperation that is evident on the international scene and here in the United Nations, particularly in the Security Council. It is clear that there is greater cooperation among its members, accompanied by flexibility and a firm resolve to adopt rapid and effective measures. Nevertheless, we are concerned that the work of the United Nations is to a growing degree becoming identified with the work of the Security Council and that as the Council becomes stronger the other organs in the system are being weakened. The automatic linkage of certain questions with the concept of international peace and security is generating a monopoly of issues for the Security Council, and at the same time as the Council's functions are increasing, both quantitatively and qualitatively, other organs with specific competence in particular fields are being left out of the decision-making process.

That situation must be corrected. As we see it, a good part of the problem originates in the Council's tendency to broaden, arbitrarily, the definition of what constitutes a threat to international peace and security. In this connection we are extremely concerned at the abuse of the Council's discretionary powers. We do not believe in the Council's total sovereignty in this area, nor do we believe that it is either healthy or wise. Let us take a look at the current situation.

In recent years, this concept has been broadened to cover very diverse situations, for example, questions involving human rights, which should be taken up in the Commission on Human Rights, the Economic and Social Council and the Third Committee of the General Assembly. The same holds true for questions involving humanitarian assistance, where, as a result of Security Council decisions, the overlapping of political and military questions and questions of a humanitarian nature seems to have created more problems than it has solved, exposing the United Nations to severe criticism and to erosion in international public opinion.

Furthermore, the Council has acted in areas involving the restoration of democracy, when such questions should be acted upon by the General Assembly or the competent regional body. The Council has also assumed authority with regard to legal controversies that are often bilateral in nature and therefore attributed by the Charter to the International Court of Justice.

In addition to those areas, we might also mention all the situations created by internal power struggles, in which the United Nations should refrain from intervening save for exceptional cases as authorized by the Charter and by consistent United Nations practice.

It seems to us that in none of those situations are international peace and security truly threatened. What is more, it is faulty reasoning to argue that non-compliance with an agreement reached between two factions vying internally for power constitutes in itself a threat to international peace and security.

In an era of transition such as ours, the United Nations - above all, the Security Council - needs to be prudent, cautious and responsible in decision-making. The Council is currently formulating policy as regards international peace and security and setting very complex precedents that could prove counterproductive for the United Nations and jeopardize its credibility. We cannot run the risk of being associated now and in the future with loss of prestige, irresponsibility, incompetence or even belligerence. On the contrary, we must be identified with the peaceful political settlement of conflicts, as was the original desire of the countries that signed the San Francisco Charter. It is necessary first to adopt clear and precise criteria as to what constitutes a threat to international peace and security, in accordance with the letter and the spirit of the Charter and United Nations practice and then to consider potential mechanisms to remedy such situations, thus avoiding hasty reactions with a high political cost to the United Nations and the States that compose it.

In this respect, we reiterate that, as has often been stated in the United Nations, constant recourse to Chapter VII of the Charter as a mechanism to resolve difficult situations is excessive and disproportionate. I emphasize that Chapter VII was originally conceived as an instrument of last resort to deal with situations and circumstances of such gravity that they warranted enforcement action. It cannot be understood as an instrument enabling the Council to place itself above the norms and principles of international law in its actions. In contrast, the mechanisms set out in Chapter VI, on the pacific settlement of disputes, are not being used appropriately; rather, they seem to have been relegated to a secondary level because they are not instruments of force. This policy, of course, deserves profound reflection.

There was constant, recurring reference to the concept of preventive diplomacy in the general debate that concluded a few weeks ago here. In fact, preventive diplomacy is nothing but the effective implementation of the mechanisms contained in Article 33 of our Charter, including, despite what many might wish, recourse to the International Court of Justice. Nevertheless, rhetoric and practice in this area are unfortunately not moving in tandem.

Colombia has repeatedly called for transparency within the Organization, and especially as regards the relationship between the General Assembly and the Security Council. We have advocated greater information and transparency in the deliberations of the Council, because the Assembly is also an integral part of the collective security system and because we are convinced that this would be to the benefit of all, including the Council, since it would ensure the legitimacy of its actions and confidence in its members. With the substantive increase in the functions of the Security Council, transparency in its decisions is virtually imperative.

The Secretary-General himself refers in his report to the need for more formal meetings of the Council and presents a graph showing how the use of secret, informal consultations in recent years has been truly excessive. He recommends that these alternate with a greater number of official meetings. We completely support the Secretary-General on this point. But the public meetings should be for genuine deliberations, since in practice formal meetings have become merely occasions to rubber-stamp decisions that have for the most part already been adopted by a small nucleus of States on the Security Council.

Colombia is prepared to participate in the debate, under agenda item 33, on a review of the composition of the Security Council. It hopes that the Assembly will be able to establish an open-ended working group with a broad and flexible mandate devoted to reform of the Council, including its composition and working procedures. My delegation cannot fail to mention that, in the process of initiating reform of the Council, there is indeed a need for open and universal consultations in every case.

I cannot conclude this statement without offering very special thanks to the Permanent Representative of Brazil, Mr. Ronaldo Sardenberg, who, as President of the Security Council for this month, has come here personally, with a sense of courtesy and responsibility, to submit this report to us.

Mr. REDZUAN (Malaysia): Once again my delegation is participating in this debate to express our concerns and offer some suggestions relating to the report (A/48/2) of the Security Council.

The Malaysian delegation believes that this is an important task, which should be fulfilled by the general membership in a meaningful and constructive manner. The general membership should seriously and carefully examine the Council's report and determine whether the Council has fulfilled its role as defined in the Charter. Members should not refrain from questioning any of the decisions or from making their recommendations when they deem it

necessary. This is also an opportunity for members to comment on the workings of the Council. These are indeed important functions for the general membership, given the vastly increased workload and expectations of a more effective Security Council following the end of the cold war and East-West ideological rivalry. So important is our responsibility that as many countries as possible should in fact participate in the debate.

My delegation finds it odd that right in its introductory part the report mentions that it

> "is intended not as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations, but as a guide to the activities of the Security Council during the period covered." (*A/48/2, p. 29*)

This is not acceptable, and it is time for the Council to discard such a narrow intention or purpose of the report.

Certainly, Articles 15 and 24 of the Charter call for much more in the report of the Security Council to the General Assembly. It cannot be a mere diary of the activities and decisions of the Council. Both Article 15 and Article 24 explicitly establish the obligation of the Security Council to report and be accountable to the General Assembly. There cannot be representation and delegation of power without responsibility and accountability.

In the spirit and letter of Articles 15 and 24 of the Charter, my delegation believes that the format and content of the report of the Security Council should be modified and restructured. What is needed is substantive and analytical reporting and not a mere compendium of meetings and decisions. The report of the Secretary-General on the work of the Organization could at least form an appropriate model for the Council to restructure the format and content of its reporting. The report of the Council, like the report of the Secretary-General, should include an objective analysis and comments. The Council's report should also contain explanations of its decisions and should account for its actions or inactions. Ways should also be devised to incorporate the views of the general membership in the report.

In this connection, Malaysia attaches great importance to the work of the informal working group of the General Assembly relating to the revitalization of the work of the Assembly. In resolution 47/233, which was adopted by consensus, we agreed to have substantive debate on annual reports to the General Assembly by the other principal organs of the United Nations and decided to continue consideration of the revitalization process of the General Assembly at its forty-eighth session in a comprehensive manner in an informal open-ended working group, which will make proposals, as appropriate, on questions relating to, *inter alia*, the rationalization of the agenda, the reports from the other principal organs of the United Nations in accordance with the Charter and the reports requested by the Secretary-General.

The Malaysian delegation remains seriously concerned about the tendency among the Permanent Five to confine much of the substantive work of the Council to themselves and to turn the Permanent Five into some kind of exclusive club. We are concerned that formal meetings of the Council are becoming increasingly short, more and more *pro forma* occasions, with most discussions and decisions taken in closed informal meetings to the exclusion of interested parties and the general membership. Regrettably, this unhealthy work culture of the Permanent Five is becoming more and more entrenched, affecting the overall work of the Council.

My delegation is disturbed to witness the increasing tendency on the part of certain influential members to be selective in addressing questions of international peace and security that come before the Council. It is a cause of serious concern that the Council is perceived as being manipulated to advance the foreign policy interests of a member or group of members. The concept of United Nations collective security is being undermined by the application of double standards to serve the political interests or expediency of certain permanent members of the Council. The procrastination on and half-hearted approach to ending Serbia's blatant aggression and practice of "ethnic cleansing" in the Republic of Bosnia and Herzegovina is a clear example of the Council's selectivity and double standards. The Council appears to be locked in a political paralysis, with some influential members weighing the political, financial and manpower costs of getting involved in the crises. The unwillingness on the part of the Council to enforce its own resolutions and to respect General Assembly resolutions 46/242 and 47/121, calling for cessation of hostilities and respect for humanitarian law in the Republic of Bosnia and Herzegovina, would definitely undermine the credibility and faith placed in the Security Council and the concept of the United Nations collective security. On Bosnia and Herzegovina, the Council has repeatedly failed to fulfil its obligation under Article 24 of the Charter to take prompt and effective measures to restore peace and stability. Worse still, the Council continues to deny the inherent right of the victim of aggression and genocide - the Government of Bosnia and Herzegovina - to collective or individual self-defence under Article 51 of the Charter.

The effectiveness of the Security Council, in particular, and the United Nations in general, in fulfilling the primary responsibility of maintaining international peace and security is dependent on its credibility and degree of consistency in the application of the principles of the Charter. I wish to recall again the view of the Secretary-General of the United Nations, who stated in his report "An Agenda for Peace" last year that

> "The principles of the Charter must be applied consistently, not selectively, for if the perception should be of the latter, trust will wane and with it the moral authority which is the greatest and most unique quality of that instrument." (*A/47/277, para. 82*)

This fundamental rule should govern the deliberations and decisions of the Security Council.

During this crucial moment in the history of the United Nations, we all wish to see the Security Council effective and unanimously respected for its integrity. In this respect, the Council should strive to gain the trust and confidence of the general membership by reassuring members in practice of the following: that the Council will not be the tool for imposing the will of the strong upon the weak; that the Council will avoid selective and discriminatory approaches to international crises, leading to a condition in which world affairs would de determined by one or a small group of powerful states; that the Council will respect the principle of transparency and democracy in its work and will become responsive to the views of the general membership of the Organization; and, finally, that the Council will not exceed its mandate under the Charter.

As the custodian of international peace and security, the Security Council must, in carrying out its responsibilities on behalf of the Members of the United Nations, act in conformity with the provisions of the Charter, particularly Article 24. In this regard, the Security Council, before taking major decisions or actions, is duty-bound to consult regional groupings, troop-contributing countries and the general membership. Security Council resolutions should reflect the common will of the international community and not serve the narrow interests of the permanent members and their allies. As the Secretary-General observed in his report "An Agenda for Peace",

> "agreement among the permanent members of the Council must have the deeper support of the other members of the Council, and the membership more widely, if the Council's decisions are to be effective and endure." (*A/47/277, para. 78*)

The members of the Security Council should always bear in mind that their representation in the Council extends beyond one's own national entity. The permanent members have a special responsibility because of the privileges accorded to them by the international community as a whole. Accordingly, their positions should not be dictated by the confines of their narrow national interests. As for the non-permanent members, they have a larger duty to a larger constituency - the regional group that they come from and the other members that elected them. They should not succumb to pressure or manipulation by the influential members of the Council.

At the same time, my delegation recognizes that there have been some positive changes taking place lately at the Security Council with regard to its work and documentation. My delegation would like to take this opportunity to express our appreciation to the President of the Security Council for the month of August, Ambassador Albright of the United States, for her initiative to bring about greater transparency in the work of the Council. During her presidency, there were efforts to consult interested parties and the general membership on many issues that were before the Council. This positive attitude should be encouraged and indeed adopted as a standard working procedure by the Security Council.

My delegation also welcomes the Council's decision, as contained in the note by the President, document S/26176 of 27 July 1993, to transmit their tentative forecast of the programme of work for each month to all Member States. This positive action, we believe, should also be extended to include other relevant documents of the Security Council, in particular statements or intervention notes of the Secretariat or members of the Council made during informal consultations, including draft resolutions being negotiated. The decision of the Security Council to include in the daily *Journal of the United Nations* the provisional agenda of its formal meetings also deserves our appreciation. We hope that in the near future the Security Council will adopt other measures necessary to bring about more transparency in its work.

An important aspect of the work of the Council in the maintenance of international peace and security which is missing from the annual report is the question of financing. On this crucial subject, the Malaysian delegation shares the view expressed by the Secretary-General in his report on the work of the Organization for this year, that

> "the United Nations cannot resolve the major problems on the international agenda in the absence of the political will, sufficient support and continuing commitment which each particular endeavour requires." *(A/48/1, para. 23)*

In order to avoid any long-term negative effects, it is imperative that all States, particularly the big contributors, pay their assessed contributions in full and on time in accordance with their statutory obligations to the Organization as provided for in Article 17, paragraph 2, of the Charter.

In conclusion, I must underline Malaysia's strongly held view that the Security Council cannot function effectively and be more representative if we fail to expand its membership to reflect the dramatic increase in the membership of the United Nations as a whole, which now stands at 184, and to reform its method of work. That is why the Malaysian delegation and the other members of the Non-Aligned Movement are determined to restructure the Council to reflect a more equitable and balanced geographical representation and to reform the inner workings of the Council so that there is accountability, democracy and transparency, leading to a harmonious relationship between the Council and the General Assembly, while making the Council more effective in carrying out its duties under the Charter.

The PRESIDENT: I should like to propose that the list of speakers in the debate on this item be closed now.

It was so decided.

Mr. RAMIREZ de ESTENOZ (Cuba) *(interpretation from Spanish)*: I wish first to convey my delegation's appreciation of the statement made this morning by the Permanent Representative of Brazil, in his capacity as President of the Security Council, when he introduced the Council's report to the General Assembly. We believe that this action by the President of the Council, and Brazil's ongoing interest in improving the quality and content of the Council's report, not only constitute a step in the right direction but also hold the promise of future progress towards the Security Council's giving a genuine accounting of its activities to the General Assembly, as clearly stipulated in the Charter.

The Brazilian initiative is all the more praiseworthy compared with the situation of previous years, when the report of the Security Council was not even properly introduced to the Assembly and when many Council members were not present in the Hall for the debate. We hope the new procedure will become a tradition followed by future Presidents of the Security Council.

We are also pleased to note the commendable effort of the Secretariat to prevent the recurrence of last year's disgraceful situation and to ensure that the Assembly could consider the report of the Security Council at the proper time.

We attach special importance to the continuing increase in the number of delegations participating in the debate. In our view, the report of the Security Council should be the object of serious interest by all delegations, since not only has the Council become the most active of United Nations organs, but its activities increasingly affect a growing number of countries.

It should be recalled that this item appears on the agenda of the General Assembly because of provisions of the Charter. Article 15 states that the Security Council should submit an annual report to the General Assembly, because, as stated in Article 24 of the Charter, the powers of the Security Council are conferred on it by the Members of the United Nations - that is, by the General Assembly, acting on their behalf. In other words, as it considers this report, the General Assembly is not - or should not be - only taking note of matters of the highest interest and priority to the international community, but is also fulfilling its responsibilities under the Charter of the United Nations.

Yet, as we have said on previous occasions, the content of the report is not such that the General Assembly can fully and effectively carry out its responsibilities. In its present form, the report of the Security Council could perhaps be useful to libraries or documentation centres, but it is not useful to the State delegations that must, in accordance with the Charter, assess the actions the Council takes on their behalf and determine whether or not the powers we ourselves have conferred upon the Security Council are being used in the best possible way.

The delegation of Cuba is among those that, both on and off the Security Council, has systematically criticized the partial and cursory way the Council's work is presented to the General Assembly. We note that this time some positive changes have been made, thanks to the efforts of some members of the Security Council. But the report still completely lacks the analytic information that would enable us to assess what the Council has or has not done.

That observation relates to the growing demands for greater transparency in the work of the Council. The Council's current practices, characterized by the closed and secret nature of the vast majority of the substantive deliberations of its members, make it ever more necessary to meet our demand for an analytical, complete and integral report.

Other elements of the activities of the Council are also linked with the item before us. The Security Council is exhibiting a growing tendency to appropriate many aspects of the work of the Organization that have nothing to do with the authority conferred upon it by the Charter. It has

given itself the right - a right no one else has given it - to determine on its own when a situation constitutes a threat to international peace and security and when it does not; this gives rise to a growing tendency to interfere in the internal affairs of States. The Council has arrogated to itself the power, without guidelines from the democratic bodies of the Organization, to determine when it is necessary to apply Chapter VII of the Charter. For today's Security Council - and above all for certain of its permanent members - the Council is the only valid forum of the United Nations; they conveniently forget that each United Nations organ has its own functions and powers.

Summarizing, I should say that there is an ever-increasing tendency for that organ to act as an autonomous entity. This is extremely dangerous, given its responsibilities in respect of international peace and security and, hence, its power to impose sanctions or to use force. It is also a matter for concern that the Security Council, whenever it takes action - however basic - in connection with a situation brought to its attention, decides immediately to remain seized of the subject. This prevents action by other United Nations organs that could make a valuable contribution to the solution of conflicts and controversies.

We believe that every Member of this Organization could say a great deal about the way in which the Security Council operates. I refer, for example, to the excessive proliferation of peace-keeping operations and to the way in which given situations are manipulated so that the Council's decisions may be brought into line with the policies of the big Powers - in other words, so that the Council may become a sort of universal police force.

This is why appropriate information from Member States, appropriate structuring and analysis in the Security Council's annual report to the General Assembly, and even special reports when they are warranted by circumstances - as provided for in the Charter - are not only necessary but, indeed, vital if this Organization is to become truly democratic and if it is to fulfil completely the purposes and principles for which it was designed. Would not the General Assembly be doing something worthwhile if, at this session, it were to decide to ask the Security Council for special, thorough, detailed, analytical reports on some of the Council's most important and controversial operations?

Nothing that the Council does, or fails to do, should be kept from the Members of this Organization, on whose behalf, I repeat, that organ acts. In the document that we are now considering - and this is something that must be said - there is not a single word about the real discussions that have taken place in the Security Council. As we see it, this is a virtual violation of the United Nations Charter and of its stipulations concerning the Council's responsibility to report to the General Assembly. Thus, the Assembly is deprived of legitimate powers, including the power to make recommendations to the Security Council with regard to the Council's activities or working methods.

We have no doubt that if this function is to be discharged, States Members of the Organization must ensure that the General Assembly has the means to discharge it. They must ensure that the Assembly has the means of carrying out its functions - functions given to it by the Charter - with regard to the maintenance of international peace and security and the peaceful settlement of disputes. Above all, it must be enabled to exercise the powers that it has by virtue of Articles 10, 11 and 14 of the instrument that guides our work. We hope that future negotiations on revitalization of the General Assembly will take all these issues properly into account and that conclusions will be arrived at.

Mr. Pursoo (Grenada), Vice-President, took the Chair.

I do not want to repeat what my delegation said just a few months ago, in a similar debate, about what the Security Council's report to the General Assembly should contain. None the less, I wish to reiterate that the report should include not only references to the official documents that were before, and were adopted by, the Council, but also - and this is much more important - an analytical summary of the discussions that took place in the framework of the so-called plenary informal consultations, which, because of the none-too-democratic policy that has been imposed on the Council, have become its real debates. In this connection, the report should also duly reflect the information that is often conveyed verbally to the Council by high-ranking members of the Secretariat, as well as the texts of letters exchanged by the President of the Council and the Secretary-General, where these are not published as official documents of the United Nations, and records of the subsidiary bodies of the Council, which are also of extreme interest to Member States.

At the same time, the report must have a much more functional structure - one that can be adapted to the new, analytical contents we are advocating. This is the only way of enabling us to determine the real thrust of the Council's work over the year and to analyse its results, even if not too thoroughly - results that should be seen in political terms, and not merely as a catalogue.

Matters related to the Security Council's report to the General Assembly are just one of the elements in respect of which important changes in the Council's work are

necessary. We believe that at a time when we are asked to work hard at restructuring the economic and social spheres and to reform the Secretariat radically, we must also make substantive changes in the working methods of that other principal body.

Of course, the increase in the membership of the Security Council - a subject that will soon be considered in this Hall - is a fundamental aspect of the essential restructuring of the Council. However, we must not neglect the fact that, together with the expansion of the membership, the question of the equitable distribution of all Council seats needs serious consideration. We firmly believe that when the composition of, and the distribution of authority within, the Council are more just and more equitable, that organ will be able to discharge its responsibilities more effectively and more completely.

At the present time, we are talking about, and trying to take action on, revitalization of the General Assembly. How better could the Assembly be revitalized than by being enabled to fulfil completely its responsibilities with respect to the Security Council, which, according to our institutional rules, must report to it?

We urge all Members of the Organization to give serious consideration to this question, as a first step in the necessary and much-called-for reform of the Security Council. If we fail in this regard, we shall be avoiding our responsibilities as Members. If the Security Council does not succeed in changing substantially its mechanisms for reporting to the General Assembly, in such a way as to meet the aspirations of all Members of the Organization, the Assembly will have to be prepared, sooner rather than later, to make the necessary recommendations in this respect.

I want to say, in conclusion, that, as the Security Council is the United Nations organ most in need of profound reform, it is urgent that words yield to deeds so that the very future of the Organization may be secured.

Mr. LAMAMRA (Algeria) *(interpretation from French)*: I should like, first, to express our appreciation to Ambassador Sardenberg, the President of the Security Council, for his introductory remarks. His presentation to the General Assembly of the report of this principal organ is in itself a sign of a new spirit of cooperation, which we welcome wholeheartedly.

In the period since the debate on the Security Council report that took place last June, during the forty-seventh session of the General Assembly, a number of innovations have been made with a view to meeting the concerns expressed by the Assembly. For example, the report has been published on schedule and made available during the first half of the forty-eighth session of the General Assembly, in contrast to the delays observed previously.

Likewise, this document was, for the first time, adopted by the Council at a public meeting, and contains a new appendix which lists in chronological order the statements made or issued by the President of the Security Council in the period covered.

We have also noted the deliberate effort to achieve greater transparency by disseminating to all Member States the monthly programme of activities of the Council and particularly by initiating, last August, a process of informal consultation with the Chairmen of regional groups. Provided that these consultations were held on a regular and systematic basis and that they dealt with the substance of the Council's activities, they would not only respond to the legitimate concern for transparency but would also enhance the Council's effectiveness. It is at least an opening and should be encouraged and enlarged upon with a view to enabling the Council to draw on the fund of experience and expertise available outside it, among the States Members of the United Nations. Such an opening, which we fervently desire, can help the Council accomplish its missions in the face of increasingly complex crises.

The positive changes observed over the past few months have already responded, at least partially, to the wishes and aspirations of Member States. Nevertheless, the legal and political context in which the report of the Security Council should be considered by the General Assembly, as suggested by a combined reading of Articles 15 and 24 of the United Nations Charter, calls for additional measures on the triple basis of the structure and content of the report, the transparency of the Council's work, and respect for the functions of the General Assembly.

First, the Council's report could usefully be supplemented by an analytical section summarizing the substantive work done by the Council and placing in context the approaches taken and the stakes underlying them. Such an analysis is essential if the General Assembly is to engage in a substantive debate or even in a dialogue with the Security Council, and thus be in a position to properly discharge the responsibility conferred upon it by Articles 15 and 24 of the Charter.

Secondly, a balance must be found between the use of informal consultations, the usefulness of which cannot be questioned, and the duty adequately to inform the international community in whose name the Council acts and to remain continually receptive to its reactions.

Thirdly, the Council's prerogatives do not, as we know, exclude the General Assembly from exercising its own prerogatives, particularly where international peace and security are concerned. Full weight and significance should attach to the stipulations of Article 11 of the Charter, which empowers the General Assembly to consider the general principles of cooperation in the maintenance of international peace and security, and to discuss any questions relating to that matter and to make recommendations, including recommendations to the Security Council.

Thus, under the terms of the Charter, there is at least shared competence between the General Assembly and the Security Council regarding the maintenance of international peace and security: reflection, study and the drawing up of recommendations being the responsibilities of the Assembly, while the Security Council's mandate is rather to deal in a concrete fashion with specific conflicts and to take appropriate actions to resolve them.

The founders of our Organization were fully aware of the importance of creating a balance between its main bodies, and particularly between the General Assembly and the Security Council. Respect for this equilibrium, set forth in the Charter, is of paramount importance, not only for the General Assembly as the universal and democratic forum comprising all Member States, but also for the Security Council itself. The harmony and effectiveness of the United Nations system are essentially based on a balanced and complementary relationship between the General Assembly and the Security Council with respect for their individual attributes, as foreseen in the Charter.

In the light of all these considerations, it is clear that under the spirit and the letter of the Charter, the consideration of the Security Council's report by the General Assembly cannot be a mere procedural formality, consisting of taking note of this report without considering it or making any recommendations on it. The current trend seems conducive to a review of this practice, which the conditions prevailing during the cold war largely contributed to bringing about.

The end of the cold war, the reappraisal of the practices and work methods as well as the very structures of our Organization, including in particular the question of enlarging the membership of the Security Council, all militate in favour of a collective effort for a concerted improvement in the functioning of the Security Council.

This would, quite clearly, be a major contribution to the democratization of the functioning of our Organization and the rationalization of its work methods and, ultimately, a strengthening of its effectiveness and its role.

Mr. ZAPATA (Philippines): At the outset, my delegation wishes to thank the President of the Security Council, the Permanent Representative of Brazil, for introducing the Council's report. We note the efforts of the Council to improve the provision of information on the Council's activities and decisions to all Member States, and we encourage the Council to continue making these efforts.

In its resolution 47/233 the General Assembly encourages Member States to participate actively in a substantive and in-depth discussion and consideration of the reports of the principal organs of the United Nations, particularly the report of the Security Council to the General Assembly.

In this regard, it is indeed encouraging that we have received the latest report of the Council in time for our debate and that the period it covers is fairly up to date. Nevertheless, my delegation feels constrained to abide fully by the intent of resolution 47/233 on this matter, because it feels that the current format and content of the report do not provide an adequate basis for us to engage in a truly meaningful debate on the activities and work of the Council for the period under consideration. Nor is it possible, in our view, for such debate to be particularly current if we are to use the present report as a basis.

I wish, therefore, to confine my brief remarks to the report's content and presentation rather than to the substance of the particular issues contained in it - important as they are - with a view to suggesting certain changes in these areas.

The Philippines believes that the possibility for substantive consideration of the report would be considerably increased if additional changes were made in its format, content and timing, though we also note the latest efforts of the Council to improve its report to the General Assembly. We thus share the view of other delegations that the Council's report should be improved. Our foremost consideration in this respect is to enhance the General Assembly's ability to consider and respond substantively to the Council's actions and thus effectively fulfil its role as enshrined in the Charter, especially with respect to Articles 10, 13 and 14, which in turn, we believe, is the main intent behind Article 15. We further believe that these changes could be accomplished without expanding the length of the report. In fact, ways could be explored to shorten the report.

The Council's report is a reflection of its accountability to the General Assembly, which arises from the fact that the Council is mandated by the Member States to act on their behalf in the maintenance of international

peace and security. The Council's report should thus provide the means for Member States to assess its actions and, where necessary, respond or make appropriate recommendations on these actions to the Council in a timely and relevant fashion. Any weakening of this accountability, such as through outdated or insufficient information in the report, could eventually undermine the Council's effectiveness, efficiency and moral authority.

The need for a more frequent and analytical report of the Council has also become more necessary today in view of the Council's active and more prominent role in addressing international peace and security issues, as well as its more frequent resort to closed and relatively non-transparent informal consultations as an essential part of its decision-making process. The report should thus also serve as a means for Member States that are not members of the Council to gain a better understanding and appreciation of the reasons and factors behind a particular course of action adopted by the Council.

My delegation believes specific proposals to improve the reports of the Council to the General Assembly could be thoroughly discussed by the informal open-ended working group established by General Assembly resolution 47/233. We further believe that the working group, after considering all proposals on this matter, should make appropriate recommendations for the consideration of the Assembly. However, our general debate today could be a useful input for the informal group's deliberations. Bearing this in mind, I wish to suggest certain general improvements in the report which could enhance the Assembly's ability to deliberate upon it more effectively. This, in turn, would reinforce efforts to revitalize the Assembly and improve coordination between the Council and the Assembly on matters affecting international peace and security.

First and foremost, the Philippines believes that the report should be analytical in nature and not limited to a record of decisions and resolutions adopted by the Council. It should include a concise analysis of decisions taken and a summary of the Council's discussions and debates on each substantive issue covered during the period under consideration. This should include discussions in both the Council's formal sessions and the closed informal consultations of the whole. A brief write-up on the status of each substantive issue discussed in the main report would also be very useful.

These changes alone, in our view, would create a solid basis for a substantive exchange of views by the General Assembly on the activities and decisions taken by the Council during the period in question. There are, however, other possible improvements which could be considered. Bearing in mind unforeseen events and emergencies, the report could also outline a preliminary forecast of the annual programme of work of the Council, particularly on issues in the preceding report identified as requiring the Council's continued debate or further action. The possible type of action should also be indicated, if possible. The forecast could be updated monthly.

A section on the activities and decisions of subsidiary bodies of the Council, such as the sanctions committees, during the period in question could also be reflected in the report. We also believe that a section on administrative and financial issues facing the Council would be of interest to many delegations.

Finally, the report should be made available and circulated in a timely fashion, preferably during the beginning or within the first quarter of each year, so that it can initially be considered by the General Assembly around that time through an appropriate mechanism. The ideal period of coverage of the report should be a calendar year, from 1 January to 31 December. Updating the report could be accomplished by regular issuance of special reports throughout the year. This would address the issues of outdated and incomplete information made available to the Assembly in the annual report or in preceding special reports.

My delegation is open to other and perhaps more detailed suggestions to improve the Council's report. We look forward to a fruitful exchange of views on this subject during our debate which, I reiterate, could provide a useful framework for further consideration of this subject, particularly by the informal open-ended working group on the revitalization of the General Assembly.

Mr. KHOSHROO (Islamic Republic of Iran): Today, the General Assembly is meeting to consider the annual report of the Security Council to the General Assembly. My delegation has reviewed the report contained in document A/48/2, covering the period from 16 June 1992 to 15 June 1993, and it is with a sense of satisfaction that we note that, for the first time, it was considered and adopted in a public meeting of the Security Council. We also welcome the timely submission of the current report to the General Assembly. Indeed, these are steps in the right direction, considering the views that were expressed following the release of the previous report of the Security Council.

It is obvious that in the wake of the cold war the Security Council has expanded its activities. A quantitative comparison of the work-load of the Council from June 1992 to June 1993 with the period of its previous report, June 1991 to June 1992, clearly

demonstrates that the number of meetings, resolutions and presidential statements of the earlier period has now almost doubled. Obviously, the Security Council, as a principal organ of the United Nations entrusted with the primary responsibility for the maintenance of international peace and security, needs to make every effort to adapt itself to the new international circumstances.

Bearing in mind the general principle of the accountability of the principal organs of the United Nations to the entire membership, as embodied in the General Assembly, we believe that the more the Security Council expands its activities the more accountable it needs to be to the general membership, as stipulated in Article 24 of the Charter. In this way it can meet the international community's expectations of it.

The greater role and expanded agenda of the Security Council, as perceived in the new international era, should be commensurate with the degree of trust and confidence shown by the international community in the Council's performance. Indeed, the prospect of such a greater role and expanded agenda would be frightening if an equally energetic process of Security Council responsiveness and accountability to the general membership, as well as transparency in its work, did not take root in the Council, particularly among the permanent members. The Islamic Republic of Iran is concerned with undemocratic practices, hidden agendas, lack of transparency and the indifference of the Security Council to the views of the international community as they are crystallized in the General Assembly.

Needless to say, any lack of transparency in the work of the Council runs contrary to the spirit of openness and democracy within the United Nations system. In this regard the Islamic Republic of Iran concurs with the Secretary-General's view that

> "Informal consultations should be punctuated by more formal meetings in order both to inform, and to seek support from, the wider circle of Member States". (*A/48/1, para. 38*)

In fact, as an overwhelming majority of Member States have observed in the course of the general debate in this body, democratization of the Security Council and insurance of transparency in its activities are of paramount importance in enhancing the credibility of the United Nations system. In this context I cannot but stress that an annual report of the Security Council characterized by a comprehensive and integrated analysis of the issues on its agenda and of the approaches used by the Security Council to address matters of substance could only contribute to enhancing the transparency of the Council's work. It is unfortunate that the present annual report, like earlier ones, is characterized merely by symbols, resolutions and chronologies of issues and fails to address any matters of substance.

If the credibility of the United Nations system, particularly in the crucial areas of peace and security is to be enhanced, it is also imperative to reconsider the Council's behaviour and approach in dealing with cases of aggression and threats to international peace and security. In this connection, like many other Member States, we have on numerous occasions expressed our deep concern at the selective approaches and double standards pursued by the Council. The most distinctive example in this regard is the attitude of the Security Council with respect to the tragedy in the Republic of Bosnia and Herzegovina. It is clear that, in spite of the magnitude of Serbian crimes and acts of aggression against a Member State, the Security Council has failed to act resolutely to redress this tragic situation. Indeed, had the Council abandoned its double standard and acted decisively when the Serbs started their aggression, we would not be facing a continuation of the abhorrent policy and legitimization of "ethnic cleansing".

In conclusion, it is our hope that the flaws in the work of the Security Council, some of which I have highlighted, will be removed so as to strengthen cooperation between the principal organs of the United Nations and to enable the General Assembly, as the supreme organ of the United Nations, thoroughly to assess the reports of the Council and make recommendations to it.

Mr. TELLO (Mexico) *(interpretation from Spanish)*: In accordance with the United Nations Charter, the General Assembly is meeting today to consider the annual report of the Security Council. My delegation is pleased that the report has been submitted in a timely fashion, and we wish to state for the record our appreciation to Ambassador Sardenberg, Permanent Representative of Brazil and President of the Security Council, for his decision to present the report personally. We understand that this is the first time this has been done, and we therefore congratulate him for having initiated a practice we hope to see continued in the future. It is also encouraging that the report was adopted at an open meeting of the Council. My delegation also notes the improvements that have been made in some aspects of the Council's methods of work. Progress is thus being achieved in making the work of that important United Nations body more transparent.

I must, however, note that a great deal must still be accomplished. The Council's annual report is still the formal expression of an obligation. The document before us still lacks the kind of analysis that would enable the Assembly to understand the underpinnings of the actions

the Council has taken. The General Assembly is still not in a position fully to carry out the functions assigned it by the Charter.

Age-old problems have been compounded by the realities that have emerged since the end of the cold war. In recent years we have seen the number of items on the Security Council's agenda grow. The Council is asked to seek solutions to conflicts in every part of the world. In this new situation it would seem logical and natural for the States Members of the Organization to be increasingly interested in the Council's work, in its methods of work and in the bases for its decisions.

Over 70 Member States responded to the inquiry on the "Question of equitable representation on and increase in the membership of the Security Council". The fact that a large majority of States also referred to the Council's methods of work reflects the importance we attach to knowing and understanding its work. In other words, it seems clear that that work is not and cannot be limited to an exercise in numerical microsurgery.

We must go forward in the task of making the work of the Council more transparent and democratic. Procedural changes have already been suggested that would require no structural, legal or rule-related reforms. One positive innovation is the distribution of a provisional forecast of the programme of work, which has enabled Member States to know what items the Security Council will be dealing with each month.

Other measures could be taken to keep all Members of the Organization informed of the items considered in the Council's informal consultations. In our view, Members need a summary of what is considered in those consultations. It would be very useful for the *Journal* to announce the items to be considered at those meetings.

Like other Member States, Mexico referred in its response to the inquiry concerning representation on the Security Council to the need for the Council's annual report to be analytical in nature; I reiterate that now. We indicated that it would be appropriate for the Council to submit substantive quarterly reports, without prejudice to the submission of the special reports envisioned in the Charter; this would strengthen its links with the Assembly. Mexico also proposed the appointment of a special Security Council rapporteur to be entrusted with providing Member States with timely information on the work of the Council.

We appreciate the determination and the efforts of Council members over recent months to modernize their working methods. We urge them to persevere and to go further in that direction.

It is essential that the annual report of the Security Council no longer be a matter of mere protocol. It is no accident that the Council's obligation to submit reports for consideration by the General Assembly is set out specifically in Article 24 of the Charter. We, the Members of the United Nations, have conferred on the Security Council the primary - not the exclusive - responsibility for the maintenance of international peace and security; this means that the Council has a responsibility to the General Assembly.

We hope that in the near future we will see substantive, analytical reports on the activities and endeavours of the Security Council. The maintenance of international peace and security is first and foremost a common purpose of the United Nations, and the General Assembly is the centre for its attainment.

Mr. COLLINS (Ireland): Our task here today is to receive and consider the report of the Security Council to the General Assembly for the period 16 June 1992 to 15 June 1993. My delegation would like to acknowledge the extensive nature of the report. It is especially important that the report has been submitted on time this year. My delegation has previously made the point that, while the report is a compendium, such a compendium is in itself a very useful contribution to keeping the general membership informed of the activities of the Security Council.

There has been an increasing demand by the general membership of the United Nations for transparency in relation to the work of the Security Council. That demand is a consequence of and is especially relevant in the light of the increase in the work and activity of the Security Council in the past three years. A beginning in transparency has been made in this respect by the adoption in the present report of proposals in relation to the format. The proposals were adopted by the Security Council on 30 June 1993 and are contained in document S/26015. They are somewhat mechanical and bureaucratic in nature. They involve the easier retrieval of information through more extensive indexing and cross-referencing. Nevertheless, they represent a commitment to, and a step in the process of, transparency. My delegation would like to acknowledge the efforts which have been made in this respect.

In our examination of the report of the Security Council to the General Assembly, it is important to realize that the submission of an annual report on the work of the Security Council is a counterpart to the power invested in the Security Council by the general membership and, for

want of a better word, an accounting by the Security Council to the general membership on how it has fulfilled its responsibility on behalf of that general membership, in carrying out the task of maintaining international peace and security.

The report also reflects, by its sheer volume, the vastly increased workload which the Security Council has had to undertake in recent years. This in turn reflects the increased role of the United Nations generally and the greater expectations the international community places in the Security Council in relation to peace-keeping and peacemaking.

My delegation would like to take this opportunity to express our appreciation to the delegations of both permanent members and the non-permanent members that have served on the Security Council in the past year for their commitment and dedication.

The delegations assembled in this Hall are familiar with the statistics in relation to the dramatic increase in the number of formal Security Council meetings, especially in the past two years, as compared to the relatively few meetings in the past. For example, roughly one third of the total number of resolutions adopted by the Security Council since 1945 have been adopted in the past three years. In the period covered by the report, the Security Council held 151 meetings; it adopted 80 resolutions and issued 96 presidential statements. Inevitably, such a workload has led to new methods of work. As the representative of Brazil said in the debate on the previous report to the General Assembly on 22 June 1993, the Security Council's new methods of work have evolved in response to force of circumstances and therefore are not the result of long-term institutional planning. It would be unfair not to acknowledge that the dramatically increased workload has created a new situation for the members of the Security Council. It would be equally unfair not to acknowledge that it has created a new situation for those States which are not members of the Security Council.

In particular, there has been a vertiginous increase in the amount of time devoted to informal consultations amongst members of the Council. It is clear that the Security Council needs to have a facility for confidential discussions and that informal consultations represent one method of achieving this. However, the extent of informal consultations and the lack of a mechanism for transparent dialogue between the membership of the General Assembly and the members of the Security Council in relation to informal consultations have become matters of serious concern to the membership at large.

The authority and legitimacy of Security Council decisions do not derive from the Council itself; they derive from the fact that the Council, in accordance with Article 24 of the Charter, acts on behalf of the general membership. The general membership has committed itself to support and carry out those decisions. If the general membership is to do so, with public support - especially in cases where such decisions have serious political and economic consequences for the peoples represented by the general membership or have to be implemented or enforced - it is essential that those we represent should feel that their voice is heard at the decision-making table. That means that there must be considerably more openness and transparency in decision-making. Otherwise, public support for the Security Council's activities will not be forthcoming. In practical terms, what is needed now is a mechanism whereby the general membership is informed about and is enabled to have an input where necessary in the informal consultation procedure.

The Charter, as I have observed, requires that an annual report on the work of the Security Council be not merely submitted. It requires that such a report be considered by the General Assembly. The report before us is, above all, of course, an extensive and, unfortunately, a depressing list of the failure of human beings to live in peace and harmony in various parts of the globe. It is a salutary reminder that we are dealing literally with people's lives and, all too frequently, with the deaths of innocent people and of those who endeavour to assist them in keeping the peace.

The situations listed in the report are all worthy of consideration and attention by the General Assembly. The report of the Security Council to the General Assembly is a means by which the general membership can take specific note of these situations and make manifest the concern of the General Assembly in relation to them. If my delegation chooses to mention very briefly our preoccupations in relation to only two of those situations listed in the report, rather than to all of the serious issues raised in it, it is for reasons of time and because of concern about immediate events.

We have read reports today of a further horrifying massacre in Bosnia and Herzegovina. I should like to take this opportunity to say that my delegation hopes that those responsible can be found and made to answer for their crimes.

The Security Council will begin the process of examining renewal of the mandate in relation to the United Nations operation in Somalia in the next few days. It is therefore appropriate that we should make our concerns on

this issue known. My delegation has repeatedly expressed the view that political reconciliation and national reconstruction must form the priority objectives for the United Nations mission in Somalia. We know that the United Nations shares this view and that, through the efforts of the United Nations Operation in Somalia (UNOSOM), the process of political reconciliation and national reconstruction is now well established in that country. It is our earnest hope that the events of recent days in Mogadishu will not result in any departure from the efforts now under way to achieve a peaceful resolution of Somalia's problems.

Finally, my delegation hopes that some of the suggestions made here today in relation to the Security Council report will be adopted when preparing the next report by the Security Council to the General Assembly.

Mrs. HASSAN (Egypt) *(interpretation from Arabic)*: The delegation of Egypt wishes to extend, at the outset, its thanks and appreciation to the Ambassador of Brazil, as President of the Council, for his submission of the report under consideration (A/48/2).

The delegation of Egypt attaches special importance to the annual debate conducted by the General Assembly in considering the report of the Security Council submitted to it in accordance with Article 24 of the Charter of the United Nations. We view this as an opportunity for all Member States of the United Nations to exchange views on the work of the Council, to note its achievements, and to get to know its limitations. Moreover, in discussing the Council's report, the General Assembly performs an aspect of its role in the area of maintaining international peace and security, since the Security Council's report to the General Assembly expresses the accountability of the Council *vis-à-vis* the General Assembly and reflects the necessary and vital balance between the two major organs of the Organization in harmoniously discharging their responsibilities.

The increasing importance of the Security Council over the past few years, reflected in the intensification of its work and the frequency of its meetings, together with the diverse nature of its responsibilities, have combined in creating a new situation which makes it imperative that the General Assembly should acquaint itself with all the Security Council's activities and tasks.

While the delegation of Egypt welcomes the submission of the Council's report to the General Assembly for this year, it wishes to point out that the timely submission of the said report is a basic responsibility that ought to be respected as it stems from the representative nature of the Council and the mandate entrusted to its members by the Member States of the Organization in accordance with the provisions of Article 24 and the requirements of Article 15 of the Charter.

On the other hand, the increase in the activities of the Security Council, and the increased frequency of its meetings which follow upon one another, lead the members of the international community to expect that the Council should report to them on all developments relating to international peace and security in a manner that focuses on reviewing those developments both analytically and comprehensively, so that the General Assembly may be able to analyse the report's contents and to take the appropriate decisions accordingly.

Unfortunately, the report of the Security Council now under review is a conform copy of last year's report (A/47/2). Its contents are the resolutions adopted and the statements made over the period covered by the report whereas all such resolutions and statements are items of public record which everyone has read before. The inclusion of such material has not been accompanied by any explanations or assessments or mention of the grounds upon which it was based. The style of the report is merely descriptive and does not allow of any analysis of the activities of the Council.

My delegation had hoped that the members of the Security Council would seriously consider the numerous proposals that were put forward earlier, when we were discussing the report last year, and that they would pay due attention to those proposals. It was expected that the report would include adequate analysis of the grounds upon which the Council performed its activities, so that the General Assembly may be able to consider scrupulously the reasons behind the Council's important resolutions. The report is also devoid of any reference to the work of its subsidiary organs, whose work is so important to a number of United Nations Members. Moreover, the report does not include the topics relating to peace-keeping operations. These are all questions that, because of their importance for and impact upon a large number of delegations, cannot be overlooked in any report that would rightly reflect the work of the Security Council.

Regarding the procedural aspects of the Council's activities, it is very important for Egypt to stress the need for the Council to increase transparency in its work. In contrast to certain views, we do not see any contradiction at all between enhancing the efficiency of the Security Council and increasing transparency in its work. If informal consultations are considered to be a flexible and useful mechanism, whereby the members of the Council have an opportunity to determine areas of agreement and to overcome differences amongst themselves, there is still

a dire need for the non-members of the Security Council to know what goes on in terms of activities performed in the Council on behalf of all the Members of the Organization. If, in all honesty, we have to admit that there has been positive movement in that direction, in so far as there has been a degree of consultation with non-members in the Council regarding matters that concern them, in addition to the issuance at the beginning of every month, of a list of matters of which the Council is seized, a practice which we encourage, yet we have to say that this is an area which, in our view, has not received the attention it deserves regardless of the numerous proposals that have been put forward. For instance, it was proposed earlier that a resumé of informal consultations by Security Council members on the subjects under discussion be circulated. Also, the possibility of appointing a special rapporteur to provide information on the work of the Council has been discussed. Mexico did present a proposal in that regard last year. In addition, there has been discussion of the possibility of using the Security Council's report to the General Assembly as a means of filling the existing gap and of overcoming present limitations.

It is worth mentioning in this respect that those proposals include the practical means of providing Members of the United Nations with information and would not entail any structural or legal amendments.

The Security Council, in carrying out the responsibility of maintaining international peace and security does so in the name of all Member States of the United Nations. This mandate cannot have any real meaning unless the Member States feel that they are party to the decisions the Council makes on their behalf. Consequently, enhancing the efficiency of the Council's performance as well as the legitimacy of its activities, requires us to consider the ways and means whereby complementarily between the work of the General Assembly and the Security Council may be achieved.

We believe that drawing up the report of the Security Council to the Assembly in an analytical manner to reflect the Council's work, in addition to providing more information on the work of the Council to the Organization's Members, would definitely have positive effects. Moreover, the responsibility for maintaining international peace and security is not the Council's alone; the General Assembly has a similar responsibility in this area under Articles 10 and 14 of the Charter.

Furthermore, the close interrelationship between the Security Council and the General Assembly in terms of the procedures for peace-keeping operations requires further reflection on what might be the best way of achieving a constructive and constant dialogue between the Council and the Assembly. We consider that the report of the Security Council to the General Assembly is the most important means of doing just that.

In conclusion, it is high time we seriously rethought this important question. The report, in its present form, does not fulfil the purpose for which it was intended. If we are calling for reform and revitalization of the United Nations in a number of areas, in order to enhance the Organization's efficiency so that it may be able to deal with the many challenges it faces, then reform and revitalization should be applied - at the very least - to the Council's report to the Assembly.

The report should be revitalized both in form and content so that it may evolve from a mere routine procedure into a mechanism that would contribute to the achievement of the desired goals in consonance with the Charter.

The meeting rose at 1.05 p.m.